

Burges,
Burney,
Camp,
Douglass of J.

Gregg,
Lane,
McDonald,
Woodward.

ABSENT—3.

Douglass of G,
Glasscock.

Simkins,

SENATOR TERRELL

Moved to adjourn till 11 o'clock Monday morning.

Lost by the following vote, the President voting nay.

YEAS—13.

Burges,
Calhoun,
Garrison,
Glasscock,
Jarvis,
Knittle,
Pope,

Simkins.
Stinson.
Terrell,
Upshaw,
Woods,
Woodward.

NAYS—13.

Abercrombie,
Allen,
Bell,
Burney,
Camp,
Claiborne,
Douglass of J,

Field,
Frank,
Gregg,
Lane,
McDonald,
MacManus,

ABSENT—1.

Douglass of G.

SENATOR BURNEY

Moved a call of the Senate.

Call sustained, roll called.

Senators Burges, Douglass of Grayson and Simkins were found absent without leave.

The Sergeant at arms was dispatched to bring in the absent Senators.

SENATOR BURGESS

Was announced at the door of the Senate.

On motion of Senator Garrison,

The Senate adjourned till 10:15 o'clock Monday morning by the following vote:

YEAS—17.

Abercrombie,
Allen,
Burges,

Calhoun,
Douglass of J.
Field,

Garrison.
Glasscock,
Gregg,
Jarvis,
Knittle,
MacManus.

Pope,
Stinson,
Terrell,
Upshaw,
Woodward.

NAYS—8.

Bell,
Burney,
Camp,
Claiborne,

Frank,
Lane,
McDonald,
Woods.

ABSENT—2.

Douglass of G, Simkins.

FORTY-EIGHTH DAY.

SENATE CHAMBER, }
AUSTIN, March 7, 1887. }

The Senate met pursuant to adjournment.

Lieut. Governor Wheeler in the chair.

Roll called.

Quorum present.

Prayer by the House chaplain, Dr. Mitchell.

On motion of Senator Terrell,

The reading of the Journal of Saturday was dispensed with.

On motion of Senator Woodward,

Senator Knittle was excused for the day on account of sickness.

PETITIONS AND MEMORIALS.

BY SENATOR CLAIBORNE:

Petition of citizens of Galveston county asking appropriation to sustain the State militia.

Referred to Committee on Military Affairs.

BY SENATOR LANE:

Petitions of citizens of Lee and Fayette counties asking for appropriation to maintain the State militia.

Referred to Committee on Military Affairs.

BY SENATOR FRANK:

Petition of citizens of Erath county asking to have manufactories exempt from taxation.

Referred to Committee on Constitutional Amendments.

BY SENATOR CLAIBORNE:

Petitions of citizens of Matagorda

county, asking to be relieved of taxation for the year 1886.

Referred to Committee on Finance.

And,

Petition of citizens of Limestone county, against the creation of Ross county.

Referred to Committee on Counties and County Boundaries.

BY SENATOR TERRELL:

Petition from citizens of Forney, Texas, and Elmo, Texas, asking that manufacturies be exempted from taxation.

Referred to Committee on Constitutional Amendments.

BY SENATOR UPSHAW:

Petition of firemen of Hillsboro, Denton, Columbus and Comanche, asking to have active firemen exempted from road and poll tax.

Referred to Judiciary Committee No. 1.

BY SENATOR WOODWARD:

Petition of citizens of Victoria county, asking that said county be exempted from the law in reference to the inspection of hides and animals.

Ordered to lie on table, to be considered in connection with House bill No. 39.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, }
AUSTIN, TEXAS, March 5, 1887. }
Hon. T. B. Wheeler, President of the Senate:

Sir—I am instructed by the House to inform the Senate that the House has passed

Substitute House bill No. 375.

"An act to amend section two of 'an act to redistrict the State into judicial districts, and to fix the time for holding courts therein, and to provide for the election of judges and district attorneys in said districts at the next general election, to be held on the first Tuesday after the first Monday in November, 1884,' approved on the ninth day of April, 1883, and also to amend section 4, of an act to amend section 4, of an act entitled 'an act to redistrict the State into judicial districts, and to fix the time for holding courts therein, and to provide for the election of judges and district attorneys in said district at the next general election, to

be held on the first Tuesday after the first Monday in November, 1884, approved March 31, 1885.'"

Also,

That Hon Mr. Baylor has been relieved at his own request from the committee to visit the several State institutions of learning, and than Hon. Mr. Booth has been appointed in his stead, and that the House committee, now composed of Messrs. Booth, Fuller and Voorhees, have gone to the scenes of their labors.

WILL LAMBERT,
Clerk Clerk House Representatives.

THE PRESIDENT

Referred substitute House bill No. 375 to Committee on Judicial Districts.

THE PRESIDENT

Referred House bill No. 219, to Committee on Private Land Claims.

REPORTS OF STANDING COMMITTEES.

BY SENATOR STINSON:

COMMITTEE ROOM. }
AUSTIN, March 7, 1887. }
Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Private Land Claims, to whom was referred Senate bill No. 230, entitled:

"An act for the relief of J. B. Early, and to validate bounty certificate No. 831, and the survey made by virtue thereof issued by Ben F. Hil, Adjutant General of Texas, on May the 28th, 1851, for 240 acres of land to Henry W. Ward, the said Early being now the owner of said certificate," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass with the following amendment.

Amend by adding after section 1, the following:

"Provided that nothing herein contained shall be construed to affect any rights of B. J. Chambers to the land covered by the location hereby validated."

All of which is respectfully submitted.

STINSON, acting chairman.
Bill read first time.

BILLS AND RESOLUTIONS.

BY SENATOR DOUGLASS OF JEFFERSON:

A bill to be entitled:

"An act to amend Article 703, chapter 5, title 22, of the Revised Civil Statutes of State of Texas."

Referred to Judiciary Committee No. 1.

The bill provides that when an election has been held to remove the county seat of any county, no other election can be held for five years, except when the place selected for such county seat shall be destroyed, etc., an election can be held in two years.

BY SENATOR ALLEN:

Resolved, That unless otherwise directed, the President of the Senate be, and he is hereby authorized, to adjourn the Senate promptly at 1 (one) o'clock p. m., each day, to meet again at 3 o'clock p. m., the same day.

Ordered to lie on table one day, under rule.

On motion of Senator MacManus, Senate bill No. 116,

"An act to amend title 20 of the Revised Civil Statutes, by adding another chapter thereto, to be styled chapter 14," was taken up out of its regular order and read second time with favorable committee report.

SENATOR BURNEY

Offered the following amendment:

AMENDMENT.

Article 644d. Every such corporation shall in addition to the powers heretofore conferred have power:

1. To purchase, take and hold such land or real estate as shall be necessary for the construction, maintenance and operation of its harbor approaches entrances and ways thereto and the construction of wharves, piers and warehouses.

2. To construct, own and maintain its harbor by building piers and breakwaters so far into the gulf as may be necessary to obtain a sufficient depth of water to facilitate the ingress and egress and the safety while in port of such vessels as may enter the same, in so far only as the State may have the power to grant such right, which however, shall be exercised subject and in subordination to the government of the United States in as far as it may have Constitutional power to control the same.

3. To provide facilities to vessels and boats entering its harbor for

anchorage, receiving and discharging cargoes and passengers and to charge and collect fair and reasonable tolls and wharfage therefor to be prescribed by its by-laws.

4. To borrow money, in such amounts and on such terms as may be necessary for constructing and finishing or operating its harbor or piers, and to issue and dispose of its bonds for any amounts so borrowed, and to mortgage its corporate and franchises to secure the payment of any debt contracted for the purpose aforesaid.

Article 644e. For each and every charter, amendment or supplement thereto, taken out under this charter, a fee of one hundred dollars shall be paid to the Secretary of State, for the use and benefit of the State, which shall be paid when the charter, amendment or supplement thereto is filed for record.

Senators Woodward, MacManus, Lane and Gregg opposed the amendment, and Senator Burney favored the amendment.

SENATOR WOODWARD

Moved to amend amendment by striking out all the amendments except Article 644e.

SENATOR LANE

Moved the previous question on the amendments.

Seconded, and main question ordered.

The amendment of Senator Woodward was lost.

The amendment of Senator Burney was acted on by sections.

The first section of Article 644a was adopted,

And

The second section was adopted,

And

The third section was adopted,

And

The fourth section was adopted.

Article 644e of the amendment was adopted by the following vote.

YEAS—17.

Abercrombie,
Allen,
Armistead,
Bell,
Burney,
Claiborne,
Field,
Frank,
Garrison,

Jarvis,
Lane,
McDonald,
Simkins,
Stinson,
Terrell,
Upshaw,
Woodward.

NAYS—7.

Burges, Harrison,
Camp, MacManus,
Douglass of J, Pope.
Gregg,

ABSENT—3.

Calhoun, Douglass of G.
Davis.

SENATOR ALLEN

Moved to amend by changing the words "Mexican Gulf," to "Gulf of Mexico," wherever it occurs in the bill.
Adopted.

SENATOR MACMANUS

Moved to amend as follows:

Senate bill No. 116.

"An act to amend title 20, Revised Statutes, by adding another chapter thereto, to be styled chapter 14 "

Page 2, section 5, strike out the word "facilities," also, the words "capable therefore to," and insert the following: "adapted to the purpose for"; also insert the word "bulk," after "barrel" in line 8.

Page 2, line 10, sub-division 6, amend by adding: "And provided, further, that its right of way shall be the actual width of its channel, and not more than 300 feet in width on each side of it."

Page 3, line 1, amend by inserting after the word "to," the words "that of," and by striking out the words "it may have," and inserting in lieu thereof after the word "as," the words "that government has."

Page 2, line 2, amend by inserting after the word "State," the following: "And so far into the mainland as may be necessary to reach a place for its docks that will afford security from cyclones, storm swells and tidal waves "

The amendments were acted on severally and each amendment as proposed was adopted.

SENATOR HARRISON

Moved to amend the bill by adding thereto "Article 644f. All rates, tolls, or charges made by any corporation formed under the provisions of this act shall be subject to the right of the legislature, from time to time, to alter, revise, change or amend."

SENATOR CLAIBORNE

Moved the previous question on the

amendment and on the engrossment of the bill.

Seconded and main question ordered by the following vote:

YEAS—13.

Allen, Harrison,
Bell, Jarvis,
Burges, Lane,
Burney, McDonald,
Claiborne, Simkins,
Field, Woodward.
Frank,

NAYS—9.

Abercrombie, MacManus,
Armistead, Pope,
Camp, Stinson,
Garrison, Terrell.
Gregg,

ABSENT—7.

Calhoun, Houston,
Davis, Knittle,
Douglass of J, Upshaw.
Douglass of G.

The amendment was adopted,
And as amended, the bill was ordered engrossed.

(Senator Stinson in the chair.)

By leave,

SENATOR BELL

Sent up the following committee reports:

COMMITTEE ROOM, }
AUSTIN, March 7, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Judiciary Committee No. 2, to whom was referred Senate bill No. 296, entitled:

"An act to amend Article 79, chapter 5, title 2, of the Code of Criminal Procedure," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

BELL, chairman.

Bill read first time.

COMMITTEE ROOM, }
AUSTIN, March 7, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Judiciary Committee No. 2, to whom was referred House bill No. 234, entitled:

"An act to amend Article 314, chapter 111, of the Revised Penal Code," have had the same under consideration, and instruct me to report it back

to the Senate with the recommendation that it do lie on the table, as another bill relating to the same subject matter has been favorably reported by your Committee.

All of which is respectfully submitted.

BELL, chairman.

Bill read first time.

COMMITTEE ROOM, }
AUSTIN, March 7, 1887. }
Hon. T. B. Wheeler, President of the Senate.

Sir—Your Judiciary Committee No. 2, to whom was referred Senate bill No. 303, entitled:

"An act to amend chapter 2, title 96, of the Revised Statutes of the State of Texas, by adding thereto 4676a, providing for the assessment of live stock in pastures in the several counties in which such pastures are situated," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

BELL, chairman.

Bill read first time.

COMMITTEE ROOM, }
AUSTIN, March 7, 1887. }
Hon. T. B. Wheeler, President of the Senate.

Sir—Your Judiciary Committee No. 2, to whom was referred Senate bill No. 235, entitled:

"An act to amend Article 313, chapter 111 of the Penal Code," have had same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

BELL, chairman.

Bill read first time.

COMMITTEE ROOM, }
AUSTIN, March 7, 1887. }
Hon. T. B. Wheeler, President of the Senate.

Sir—Your Judiciary Committee No. 2, to whom was referred Senate bill No. 165, entitled:

"An act to regulate the pay of sheriffs and other peace officers in misdemeanor cases," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do lie on the table, as a House bill containing the same subject matter, has been favorably reported by your committee.

All of which is respectfully submitted.

BELL, chairman.

Bill read first time.

COMMITTEE ROOM, }
AUSTIN, March 7, 1887, }
Hon. T. B. Wheeler, President of the Senate.

Sir—Your Judiciary Committee No. 2, to whom was referred Senate bill No. 297, entitled:

"An act to amend section 1, Article 559, and section 3, Article 560, of the Code of Criminal Procedure of the State of Texas," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do not pass.

All of which is respectfully submitted.

BELL, chairman.

Bill read first time.

COMMITTEE ROOM, }
AUSTIN, March 7, 1887. }
Hon. T. B. Wheeler, President of the Senate.

Sir—Your Judiciary Committee No. 2, to whom was referred Senate bill No. 132, entitled:

"An act to amend section 1, chapter 90, of the Revised Civil Statutes," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

BELL, chairman.

Bill read first time.

COMMITTEE ROOM, }
AUSTIN, TEXAS, March 7, 1887. }
Hon. T. B. Wheeler, President of the Senate.

Sir—Your Judiciary Committee No. 2, to whom was referred House bill No. 143, entitled:

"An act to define and punish usury," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do not pass.

All of which is respectfully submitted.

BELL, chairman.

Bill read first time.

COMMITTEE ROOM, }
AUSTIN, March 7, 1887. }
Hon. T. B. Wheeler, President of the Senate.

Sir—Your Judiciary Committee No.

2, to whom was referred House bill No. 155, entitled:

"An act to amend Article 677 of the Code of Criminal Procedure of the State of Texas," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do not pass.

All of which is respectfully submitted.

BELL, chairman.

Bill read first time.

SENATE CHAMBER, }
AUSTIN, March 7, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Judiciary Committee No. 2, to whom was referred House bill No. 116, entitled:

"An act to repeal Articles 992, 993, 994, 995, 996 and 1001 and to amend Articles 988, 1002, 1006, 1008 and 1912, of chapter 1, title 13 of the Code of Criminal Procedure of the State of Texas, and Article 1000, of chapter 1, title 13, as amended by chapter 12, of the General Laws of the Eighteenth Legislature of the State of Texas," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

BELL, chairman.

Bill read first time.

COMMITTEE ROOM, }
AUSTIN, March 7, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Judiciary Committee No. 2, to whom was referred House bill No. 169, entitled:

"An act to amend Article 436, chapter 3, title 7, of the Code of Criminal Procedure," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do not pass.

All of which is respectfully submitted.

BELL, chairman.

Bill read first time.

COMMITTEE ROOM, }
AUSTIN, March 7, 1887. }

Sir—Your Judiciary Committee No. 2, to whom was referred House bill No. 166, entitled:

"An act to amend Article 257 of the Penal Code of the State of Texas," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

BELL, chairman.

Bill read first time.

COMMITTEE ROOM, }
AUSTIN, March 7, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Judiciary Committee No. 2, to whom was referred House bill No. 142, entitled:

"An act to amend title 10, chapter 1 of the Code of Criminal Procedure of the State of Texas by adding thereto Articles 870a and 870 b," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do not pass.

All of which is respectfully submitted.

DOUGLASS of Jefferson,
Acting chairman.

Bill read first time.

BY SENATOR FRANK:

SENATE CHAMBER, }
AUSTIN, March 7, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Engrossed Bills have carefully examined Senate bill No. 271, entitled:

"An act requiring sheriffs to report to the Adjutant General, upon adjournment of the district courts in the several counties of this State, certified lists of all fugitives under indictment for felony in said counties; to provide the means and mode of securing such lists, and to prescribe the punishment for a failure or refusal to forward them," and find the same correctly engrossed.

FRANK, chairman.

SENATE CHAMBER, }
AUSTIN, March 7, A. D. 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Engrossed bills have carefully examined Senate bill No. 206, entitled:

"An act to authorize William M. Wilson to sue the State of Texas in this district court of Travis county, Texas to determine whether or not the State of Texas is indebted to him in any sum on account of the building and construction of the State penitentiary at Rusk," and find the same correctly engrossed.

FRANK, chairman.

SENATE CHAMBER, }
AUSTIN, March 7, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Engrossed Bills, have carefully examined Substitute Senate bill No. 170, entitled:

"An act to amend Article 3641, chapter 1, title 74, of the Revised Civil Statutes of the State of Texas," and find the same correctly engrossed.

FRANK, chairman.

By leave,

SENATOR UPSHAW

Sent up a bill to be entitled:

"An act for the relief of J. C. Patton."

Referred to Committee on Private Land Claims.

(The President in the chair.)

House bill No. 21.

"An act to establish a house of correction and reformatory, and to provide for its government and maintenance and make an appropriation therefor."

And,

Senate bill No. 1,

"An act to establish a house of correction, and to provide for the government and maintenance therefor," were taken up by unanimous consent and read second time with favorable committee report and committee substitute for Senate bill No. 1.

On motion of Senator Frank,

The committee substitute for Senate bill No. 1, was adopted,

And,

All of House bill No. 21, but the caption, and enacting clause was stricken out,

And,

Substitute Senate bill No. 1.

All but caption, and enacting clause was inserted in lieu thereof.

On motion of Senator Bell,

It was agreed to consider the bill section by section.

SENATOR FIELD

Moved to substitute section 2 of the bill as follows:

Strike out section 2, and in lieu thereof substitute the following:

"Section 2. It shall be the duty of the Governor of the State immediately after this act shall go into effect to appoint three commissioners to select a site for said reformatory, who shall make such selection with a view to its healthfulness, accessibility, wood and water supply, fertility of

soil and other advantages, and the same shall contain not less than 640 nor more than 2,000 acres of land, and the same shall not be located in the vicinity of either of the penitentiaries now situated, nor within ten miles of any incorporated town or city. When a site has been selected for said reformatory as herein provided, and the price has been agreed upon and such selection and the price have been approved by the Governor, it shall be the duty of the commissioners to purchase the same (provided the price does not exceed \$10,000, to be paid for out of the appropriation provided for in this act) the title of the said property to vest in the Governor of this State and his successors in office, for the use and benefit of said reformatory.

"It shall be the duty of the trustees hereinafter provided for, to contract for and superintend the construction of such buildings and other improvements as may be necessary for the safekeeping, comfort and profitable employment of the inmates confined therein, and in the construction of said buildings and improvements convict labor may be employed, if deemed advisable, in the interest of economy. Said commissioners shall each receive the sum of five dollars per day for the time they are actually employed in the selection and purchase of such site, and in addition thereto necessary traveling expenses in visiting different sections of the State to select an advantageous site for said reformatory; provided said commissioners shall not receive more than one hundred dollars and actual expenses; provided further that all the expenses mentioned in this act shall be paid out of the appropriation here in aftermade. The trustees hereinafter provided for shall employ a competent architect, at a salary not exceeding one hundred and fifty dollars per month, to prepare plans and specifications for the construction of said buildings, and to personally supervise and direct the erection of the same, and the trustees are authorized and empowered to audit the accounts of said supervising architects and contractors, and to pay the same by installments as the work progresses, by draft drawn on the Treasurer, and approved by the Governor of this State.

SENATOR CLAIBORNE

Moved to amend the amendment by striking out "ten" and insert "five"

where it refers to the location of the reformatory.

SENATOR CLAIBORNE

Explained the amendment and it was accepted.

SENATOR STINSON

Opposed the amendment.

SENATOR TERRELL

Moved to strike out of the amendment the word "five" and insert "two" in section 2.

SENATOR TERRELL

Spoke in favor of the amendment and Senator Simkins opposed it.

On motion of Senator Pope,

The Senate adjourned till 3 o'clock this afternoon.

AFTERNOON SESSION.

The Senate met pursuant to adjournment.

Lieutenant Governor Wheeler in the chair.

Roll called.

Quorum present.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, }
AUSTIN, March 7, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—I am instructed to inform your honorable body that the House adheres to its amendment to

Senate bill No. 4.

"An act to amend article 3200 of the Revised Civil Statutes of the State of Texas," asks for a committee of conference, and that Messrs. Groce and Prendergast have been appointed as such committee upon the part of the House.

WILL LAMBERT,

Chief Clerk House Representatives.

The Senate resumed consideration of substitute House bill No. 21, with amendment of Senator Terrell pending

The amendment was adopted.

SENATOR HARRISON

Moved to amend the amendment as follows:

"Amend by striking out that portion of the amendment which limits the amount to be expended for the purchase of land."

SENATORS HARRISON AND STINSON

Spoke for, and

SENATORS FRANK, BURNEY AND POPE

Opposed the amendment.

It was lost.

The amendment of Senator Field, as amended, was adopted.

On motion of Senator Lane,

Senator Calhoun was excused for two days, on account of important business,

On motion of Senator Bell,

Senators Glasscock and Woods were excused indefinitely on account of important committee work.

(Senator Terrell in the chair).

SENATOR FIELD

Offered the following amendment to the bill:

AMENDMENT.

Amend section 3 by adding the words "house of correction" before the word "reformatory," wherever the word reformatory occurs in said section.

Also,

Amend by striking out the word "three" in line 3 and insert in lieu thereof the word "said."

Also,

Amend by striking out all after the word "established" in line 3 down to the word "such" in line 3, page 3, and by striking out the word "other" in line 4.

Also,

Amend by inserting the word "that" between the words "so" and "the" in line 5, and by changing the word "thereon" into "thereof" in line 17.

Adopted.

SENATOR POPE

Moved to strike out that portion of section 3, which provides for giving to the inmates of the reformatory their pro rata share of the public free school fund.

SENATORS POPE AND STINSON

Favored

And

SENATOR FIELD

Opposed the amendment

And

It was adopted.

(The president in the chair.)

SENATOR POPE

Moved to amend so as to fix salary of Superintendent at \$1500.

SENATORS POPE AND STINSON

Spoke for

And

SENATORS CLAIBORNE, FIELD AND SIMKINS

Against

And

It was lost by the following vote:

YEAS—9.

Burges,	Jarvis,
Camp,	Pope,
Douglass of J.,	Stinson,
Douglass, of G.,	Woodward.
Gregg,	

NAYS—15.

Abercrombie,	Garrison,
Allen,	Harrison,
Armistead,	Lane,
Bell,	McDonald,
Burney,	MacManus,
Claiborne,	Simkins,
Field,	Terrell.
Frank,	

ABSENT—2.

Davis,	Upshaw.
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SENATOR STINSON

Moved to amend by adding in line 5, section 4, page 4, after the word "agent" the following:

"Which bond shall be approved by the Governor and deposited with the Secretary of State before said superintendent shall enter upon the duties of his office."

Adopted.

The following message was received from the House:

HOUSE OF REPRESENTATIVES. }
AUSTIN, March —, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—I am instructed by the House to inform the Senate that the House concurs in Senate amendments to the following House bills:

Substitute House bill No. 24.

"An act to extend the time within which lands that have been sold for taxes and bought in by the State, may be redeemed."

House bill No 16:

"An act to amend section 1 of an

act entitled 'an act to protect mechanics, laborers and operatives on railroads against the failure of owners, contractors or agents to pay their wages when due, and provide a lien for such wages,' approved February 18, 1879."

Also,

That the House has passed House bill No. 128,

"An act to amend Articles 183 and 186 of the Penal Code."

And

House bill No. 160,

"An act to amend title 7, chapter 4, Articles 483 and 484, of the Code of Criminal Procedure, and to add another Article thereto to be known as Article 485a, so as to provide for the more speedy and certain collection of fines and costs assessen against defaulting witnesses."

Also,

House bill No. 211.

"An act to amend Articles 4604 and 4605, title 93, chapter 4, of the Revised Civil Statutes of the State of Texas, to provide for preventing certain animals from running at large in counties and sub-divisions."

Also,

House bill No. 126.

"An act to amend Articles 963, 964, and to create Article 964a, title 24, of the Revised Statutes, so as to require the payment of interest on registered claims against counties."

Also,

That the House has adopted the report of the conference committee on Senate bill No. 5, "an act relating to the descent and distribution of community property on the death of a spouse," and that Messrs Browning, Hudgins and Moore of Travis have been appointed as a free conference committee upon the part of the House.

WILL LAMBERT,
Chief Clerk House of Representatives.

THE PRESIDENT

Referred House bill No. 126,

And,

House bill No. 211, to Judiciary Committee No. 1.

And,

House bill No. 160,

And,

House bill No. 128, to Judiciary Committee No. 2.

THE PRESIDENT

Appointed Senators Harrison, Doug-

lass of Grayson and Douglass of Jefferson on conference committee on Senate bill No. 4.

THE PRESIDENT

Gave notice of signing

Substitute House Joint Resolution No. 1,

"Joint resolution to amend section 24, Article 3, of the Constitution of the State of Texas."

House bill No. 383,

"An act to release certain inhabitants of Sabine Pass City, county of Jefferson, from the payment of taxes assessed and now due for the year A. D., 1886, in consequence of a great public calamity."

Senate bill No. 51,

"An act to protect the personal and property rights of every person, firm and corporation in this State, and to provide a penalty for a violation thereof."

Senate bill No. 40.

"An act to amend chapter 18, of the Revised Civil Statutes, by adding thereto Article 1379a, as to filing statements of facts of cases on appeal,"

And,

Senate bill No. 16.

"An act to amend chapter 2, title 15, of the Penal Code of the State of Texas, by repealing Articles 547 and 548, and amending Article 549 of said chapter."

Resuming consideration of the Reformatory bill.

Senate bill No. 21.

SENATOR FIELD

Moved to amend section 4, line 1, by inserting before the word "reformatory" the following "house of correction and."

Adopted.

SENATOR STINSON

Moved to amend by striking out the words "board of trustees of said reformatory," and insert in lieu thereof the following, "Governor."

SENATOR STINSON

Explained the amendment and, it was adopted.

SENATOR WOODWARD

Moved to insert after the word "of," in line 5, "said trustees and subject to removal by the Governor."

Adopted.

SENATOR FIELD

Moved to amend section 5 by striking out the word "successful," in line 4, and by inserting before the word "reformatory," in line 5, the following words: "house of correction and."

Adopted.

SENATOR ALLEN

Offered the following amendment:

In section 6, page 5, line 3, after the word "years," add the following: "whose age at the time of conviction was not more than sixteen years."

SENATORS ALLEN AND GREGG

Favored the amendment and it was adopted.

(Senator McDonald in the chair.)

SENATOR STINSON

Moved to amend by striking all after the word "provided" in section 6, line 6, down to and in including the word "penitentiaries" in line 8, and insert in lieu thereof the following:

"Said convicts confined in this reformatory shall be required to wear such uniform as may be adopted by the board of trustees; provided, no uniform shall be prescribed similar to that now worn by the convicts in the penitentiaries."

SENATOR STINSON

Spoke for the amendment and it was adopted by the following vote:

YEAS—17.

Abercrombie,	Jarvis,
Allen,	McDonald,
Armistead,	MacManus,
Burges,	Pope,
Burney,	Simkins,
Camp,	Stinson,
Douglass of J,	Terrell,
Douglass of G,	Woodward.
Field,	

NAYS—7.

Bell,	Gregg,
Claiborne,	Harrison,
Frank,	Lane.
Garrison,	

ABSENT—2.

Davis,	Upshaw.
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(The President in the chair.)

SENATOR SIMKINS

Moved to amend line 2, section 6, page 4 by striking out the words "are now" and substituting "may be," and in line 3, strike out "is" and insert "may be."

Adopted.

SENATOR FIELD

Moved to amend section 6 by adding after the word "said," in line 1, the following words "house of correction, and," and same words before the word "reformatory," in lines 7 and 13 and in line 9, page 5.

Also

Amend by adding after the word "years," in line 3, page 5, the following "who were 16 years of age or less at the date of their conviction."

Adopted.

SENATOR ARMISTEAD

Moved to amend section 6, page 4, line 5, by adding after the word "State" the following:

"And all females now in the penitentiaries or hereafter convicted of a felony."

SENATORS STINSON AND FIELD

Opposed the amendment, and Senator Armistead favored it.

The amendment was lost.

SENATOR FIELD

Moved to amend section 7, by inserting before the word "reformatory," wherever it occurs in said section, the following words: "House of correction and."

Adopted.

SENATOR GREGG

Moved to amend line 2 by striking out "made to appear to the satisfaction of the court," and insert in lieu thereof "it is found by the verdict of the jury."

SENATOR GREGG

Explained the amendment, and it was adopted.

SENATOR LANE

Moved to

Amend by adding after the word "is," in line 4, the words "by confinement for —."

SENATOR LANE

Explained the amendment and it was adopted.

SENATOR ARMISTEAD

Moved the previous question on the bill.

Seconded and main question ordered.

On motion of Senator Bell,

The vote by which the main question was ordered was reconsidered.

(Senator Pope, president pro tem., in the chair).

SENATOR FRANK

Moved to

Amend by adding sections 9 and 10, as follows:

"Until the completion of the House of Correction and Reformatory, all convicts now in the penitentiaries of this State, or who may be convicted before that time, and who by the terms of this act are subject to imprisonment in said house of correction and reformatory, shall be confined in the penitentiaries, and shall be subject to the rules and regulations of said penitentiaries.

"Section 10. Upon the discharge of any person so committed to said house of correction and reformatory, the superintendent shall provide them with a suit of suitable clothing and five dollars in money, and procure transportation for them to their home, if resident in this State, or to the county in which they may have been convicted, at his option.

Adopted.

And the bill was passed to third reading

(Ordered engrossed.)

SENATOR CLAIBORNE

Offered the following resolution:

Be it resolved by the Senate, That from and after this date up to the date of adjournment of the Senate sine die, that it meet at 9 a. m. and adjourn at 1:30 p. m., to meet again the same day at 2:45 p. m. and adjourn at 6 p. m. And that Tuesday and Friday evenings in each week up to and including the 17th instant, be set aside for night sessions of not less than two hours, beginning at 8:30 p. m. The night session shall be for the discussion of local bills exclusively, and that evening sessions be exclusively devoted to House bills unless all House bills on the Secretary's desk are disposed of.

Ordered to lie over under rules for one day.

SENATOR HARRISON

Sent up a communication relating to the distribution of the drouth fund, and on his motion it was laid on table to be considered with drouth relief bill.

(The President in the chair.)

By leave:

SENATOR ARMISTEAD

Sent up the following bill:

A bill to be entitled

"An act to validate the locations of surveys made by virtue of certificates issued under an act entitled 'an act granting to persons who have been permanently disabled by reason of wounds received while in the service of this State or of the Confederate States, a land certificate for 1280 acres of land, approved April 9, 1881.'"

Referred to Committee on Public Lands.

SENATOR TERRELL

Sent up the following special committee report:

AUSTIN, March 5, 1887.

Hon. T. B. Wheeler, President of the Senate and Hon. Geo. C. Pendleton, Speaker of the House of Representatives:

Your Conference Committee heretofore appointed to consider the amendments of the House to Senate bill No. 5, relating to the descent and distribution of community property on the death of a spouse, beg leave to report that they have not agreed and they ask for a committee of free conference.

Respectfully submitted,

TERRELL,
MCDONALD,
BELL,
BROWNING,
HUDGINS,
MOORE.

Committee on the part of the Senate.

Committee on the part of the House.

The report was adopted and the President appointed Senators Terrell, McDonald and Bell on said free conference committee.

On motion of Senator Stinson,

The Senate adjourned till 10 o'clock to-morrow, by the following vote:

YEAS—16.

Abercrombie,	Jarvis,
Allen,	McDonald,
Armistead,	MacManus,
Burges	Pope,
Camp,	Stinson,
Douglass of J,	Terrell,
Douglass of G,	Upshaw,
Garrison,	Woodward.

NAYS—9.

Bell,	Gregg,
Burney,	Harrison,
Claiborne,	Lane,
Field,	Simkins.
Frank.	

ABSENT—1.

Davis.

FORTY-NINTH DAY.

SENATE CHAMBER, }

AUSTIN, TEXAS, March 8, 1887. }

The Senate met pursuant to adjournment.

Senator Pope, President pro tem., in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain, Dr. Smoot.

On motion of Senator Woodward,

The reading of the Journal of yesterday was dispensed with.

On motion of Senator McDonald,

Senator Davis was excused from attendance yesterday on account of sickness.

On motion of Senator Jarvis,

Senator Upshaw was excused for four days on account of sickness.

On motion of Senator McDonald,

Senator Gregg was excused indefinitely, on account of sickness.

REPORTS OF STANDING COMMITTEES.

BY SENATOR HARRISON:

COMMITTEE ROOM, }

AUSTIN, March 8, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Private Land Claims, to whom was referred Senate bill No. 323 entitled

"An act for the relief of J. C. Patton," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass, with the following amendment:

Add to section 1 the following: